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5-6-02
MA

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

WILLIAM A. HAZZARD

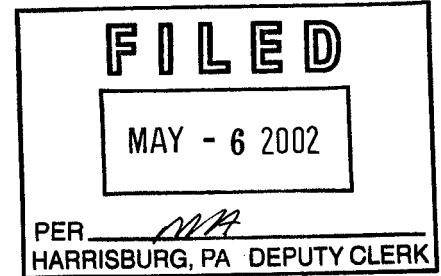
Plaintiff

v.

**TIM CURTIS, MACK McMURRAY,
AFSCME, DISTRICT 90, and THE
HARRISBURG SCHOOL DISTRICT,**

Defendants

CIVIL NO. 1:CV-00-1758



ORDER

In accordance with the accompanying memorandum of law, **IT IS
HEREBY ORDERED THAT:**

(1) Defendants' motion for summary judgment is **GRANTED** as to count I of Plaintiff's complaint and Plaintiff's claim for retaliation. The Clerk of Court is instructed to enter judgment in favor of Defendants and against Plaintiff as to these matters;

(2) Plaintiff's claim in count II of the complaint is **DISMISSED
WITHOUT PREJUDICE** for lack of subject matter jurisdiction;

(3) The Clerk of Court is instructed to close the file in this case.


SYLVIA H. RAMBO
United States District Judge

Dated: May 6, 2002.